

Appl. No. : 09/869,408
Filed : October 1, 2001

REMARKS

In the Office Action mailed on May 11, 2004, the Examiner rejected Claims 1-26 as being anticipated under 35 U.S.C. § 102(e) by Granberg et al (U.S. Patent No. 6,101,387).

Objections to the Drawings

New drawings were submitted on October 11, 2004 with the Notice of Appeal, which remove the PCT annotations.

Discussion of Claim Rejections Under 35 U.S.C. § 102(e)

Standard of Review

“For a prior art reference to anticipate a claim under 35 U.S.C. § 102, every element of the claimed invention must be identically shown in a single reference.” *Diversitech Corp. v. Century Steps, Inc.*, 850 F.ed 675, 677, 7 USPQ 2d 1315, 1317 (Fed. Cir. 1988).

The Examiner's Contentions

In the Office Action, the Examiner contended the following:

Applicant states that Granberg fails to disclose processing “at least part of said characteristic data by said gateway to determine a network location to access in order to obtain said service data, and a communication protocol for connecting to said network location.” Examiner respectfully disagrees with this argument. Granberg discloses a Gateway Mobile Switching Center (GMSC 12), which retrieves from a home location register (HLR 16), information needed for a mobile call setup, such as a network's location (col. 4, lines 54-63). Applicant argues that Granberg does not disclose or suggest a gateway processing data to determine a network location to access in order to obtain needed service data (col. 5 lines 49-56 and col. 5-6 lines 57-17).

The Cited Passages Of Granberg

The following is the section (Col. 4, lines 54-63) of Granberg that was applied:

The GMSC 12, connected to one or more other mobile switching centers (MSC) 14, is the point where calls to mobile subscribers enter the PLMN 10. Each mobile terminating call must therefore be routed via the GMSC 12. The

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GMSC 12 contains signaling functions for retrieving from a home location register (HLR) 16 information needed for a mobile call setup. Based on the results of the interrogation, the GMSC 12 identifies an MSC node currently serving the called mobile station and routes the call to the serving MSC.

At Col. 5, lines 49-56, Granberg states that:

As described in the background, the services that a particular mobile subscriber receives in one location area are not necessarily supported in other location areas. When the mobile subscriber leaves a first location area and enters a second location area, a second set of services specifically supported by the second location area is communicated to the mobile subscriber. The first and second sets of services may be different or they may be the same.

The passage cited from Col. 5 to Col. 6 describes service registration according to the serving MSC/VLR.

Granberg Has Been Misconstrued

The Examiner has misconstrued Granberg. Applicant's claims call for determination of a network location to access service data and a communication protocol for connecting to that location.

Column 4, lines 54 - 65 of Granberg refer to the basic functionality of a GMSC in interrogating an HLR to determine the MSC node that should receive a voice call. The network location determined is not a location for obtaining service data. Rather, it is a location for terminating or directing the call.

Column 5, line 49 to col. 6, line 17 simply refers to a VLR/HLR registration procedure for the passage of service data in different data formats. Again, there is no discussion of determining both a network location and a communication protocol for connecting to the location to obtain the service data, much less from a centralized gateway node.

Granberg Does Not Teach Or Suggest A Method That Characteristic Data Is Processed By The Gateway In Order To Obtain A Network Location And Protocol To Obtain The Service Data

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Specifically, the characteristic data, (e.g., called number, the called number and the calling number or categories of the A or B parties associated with the call, and received via the switch is not) processed by the gateway in order to obtain a network location and protocol to obtain the service data. Granberg instead uses text messages to and from the mobile phone or other device in order to register the position of the device with the MSC (col. 6, lines 4-29). Services are determined locally by a predetermined servicing MSC and are not centralized in a gateway. Moreover, no protocols are obtained by the Granberg gateway as would be needed to communicate with different networks, e.g., GSM and CDMA, as shown in Applicant's Figure 1.

Granberg Does Not Teach A Method That Includes "Processing Characteristic Data Associated With A Communications Call At A Network Switch To Determine If Intelligent Network (IN) Service Data Is Required To Establish Said Call"

Additionally, Granberg does not teach a method that includes "processing characteristic data associated with a communications call at a network switch to determine if intelligent network (IN) service data is required to establish said call." Rather than obtaining the network location determined from "characteristic data associated with a communications call," Granberg determines the location when entering a particular service area. "Upon entering a MSC/VLR service area or a location area within the current MSC/VLR service area as indicated at reference numeral 1, the mobile station 20 registers with the MSC/VLR 22 now serving the mobile station by sending a registration message indicated at reference numeral 2." (Granberg, col. 6, lines 19-24). Thus, Granberg determines a network location based upon the service area and not based on characteristic data.

Conclusion of Discussion

Applicant respectfully submits that Granberg does not disclose each and every feature of the method of Claim 1, so Claim 1 is in condition for allowance. Further, dependent Claims 3-7 and 10 depend on Claim 1 and by the above arguments and their separate features are allowable. Claim 11 has similar limitations to Claim 1 and its dependent claims inherit those features. Therefore, Applicant respectfully submits that Claims 11-26 are also allowable.

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New Claims

Claim 27 recites, among other features, “wherein the network location is within Home IN (HIN) computer logic including a central IN service data database; obtaining said service data and passing said service data to said switch to establish said call by using a Visitor IN (VIN) computer logic; and caching the service data in the VIN computer logic.” Granberg does not disclose such a method.

Claim 28 recites, among other features “a *Visitor Intelligent Network* (VIN) computer logic included *in the gateway*, the VIN computer logic configured to obtain and cache service data for users in the area of the gateway” Granberg does not teach a system wherein the VIN is included in a gateway which is “adapted to *process at least part of the characteristic data* to determine a network location to access in order to obtain said service data, and a communication protocol for connecting to said network location.”

As discussed above, Granberg does not determine the network location from “characteristic data associated with a communications call.” Additionally, Claim 28 now recites “the VIN computer logic further configured to communicate with the network switch in a plurality of protocols.” Support for this amendment is found on page 6, lines 29-32. (“The network system 2 provides technology independent processing of IN services by having a generic IN service front end in the VIN 26.”) This allows for “protocol independence from the terminating network.” (Specification, page 4, line 15). Thus, the VIN computer logic can communicate with the network switch by using any of several standard protocols, enabling a wider range of devices to use the network.

Applicant respectfully submits that Granberg does not disclose each and every feature of the system of Claim 28.

Lastly, Claim 29 recites the features of Claim 11 and adds the feature of caching. For at least the reasons previously given and the additional feature also not being found in Granberg, Applicant submits that it is patentable.

Conclusion

In view of the foregoing amendments and remarks, Applicant submits that this application, as amended, is in condition for allowance and such action is respectfully requested.

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If any issues remain or require further clarification the Examiner is respectfully requested to call Applicant's counsel at the number indicated below in order to resolve such issues promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: 12/10/04

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